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Since the City's Municipal Separate Storm Sewer System (MS4), or drainage system, discharges directly to streams and the ocean, the City is required to obtain an NPDES permit from the State Department of Health. This permit requires the City to reduce the amount of pollutants discharged from the City's MS4 in order to meet the water quality standards of the State of Hawaii to the maximum extent practicable.

Components of the City's permit include investigating complaints of pollutant discharges, pursuing enforcement action against dischargers, and requiring licenses for all private storm drain connections to the City's MS4.

**What is the law saying?**

The City's MS4 was designed to convey storm water, not trash or pollutants. All drainage connections from non-municipal and private property to a City drainage facility must have a storm drain connection license issued to the property owner.

For private drainage systems, the property owner of each home that touches the drainage system must have their own license (for more information, see example under "Do you have a private storm drain connection?").

Property owners are responsible for the care and maintenance of their connection and/or private drainage system, and should prevent pollutants from entering the City's drainage system to the maximum extent practicable. A property owner is defined in ROH Section 14-12.2 as, "the fee simple owner of record, lessee of record, administrator, administrator, executor, executrix, personal representative, receiver, trustee, property management agent, or any other individual, corporation, or unincorporated association who has the use, control or occupation of land with claim of ownership whether the owner's interest be in absolute fee or a lesser estate."

Any private storm drain system that is connected to the City's MS4 without a license issued to the property owner is considered to be an illegal storm drain connection.

**Background Information**

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**The Ordinance**

The Revised Ordinances of Honolulu, Section 14-12.12 describes the license and defines a private storm drainage connection as:

"A) Private Storm Drain Connection Licenses

1. All connections from non-municipal and private drainage systems to the city-owned separate storm sewer system shall require a storm drain connection license issued by the chief engineer.

2. Where a private storm drain connection is common to one or more parcels and is owned by more than one property owner, each property owner is required to have a private drain connection license and be responsible for the maintenance of the common private drainage system.

3. Any private storm drain system that is connected to the city-owned separate storm sewer system without a license issued to the property owner of record shall be considered an illegal storm drain connection.

4. Whenever a property owner is cited for an illegal private storm drain connection to the city-owned separate storm sewer system, the property owner shall be given 90 days after the date of the citation to obtain a connection license. The city will issue a connection license to the property owner without penalty within the 90-day period provided, however, no nonstorm water is being discharged into the city-owned separate storm sewer system. After the 90-day period, the property owner shall be in violation of the provisions of Article 12 of this chapter."

**Enforcement**

The City may issue warnings or fines depending on the severity of the violation, which could range from \$1,000 to \$25,000 per violation per day.

**Do you have a private storm drain connection?**

A connection by a drainage pipe includes pipes or hoses that convey flow directly into a gutter, channel, or drainage structure. A connection by a ditch (channel) or swale includes private drainage systems that convey flow into the City drainage system. To find out if a ditch or swale next to your house is a private drainage system, check if it is on your property. Each property owner of a shared private drainage system is required to have a private drain connection license and is responsible for maintenance.

See photos on inside of brochure for examples.

**Example—Private Drainage System:** The picture below shows a concrete swale in the backyard of some homes. The corresponding TMK map shows that the swale is within a drainage easement on private property. Therefore, the swale is considered a private drainage system and each property owner of the swale must have a drain connection license.

**What are my options?**

A) Disconnect your connection to the City's MS4. However, private drainage systems such as ditches or swales should not be removed without additional analysis.

B) Apply for a storm drain connection license. The online application process is:

Go online to [www.cleanwaterhonolulu.com](http://www.cleanwaterhonolulu.com)

Click on Forms in the left bar

Scroll down to Private Storm Drain Connections

Click on "Application" to download the application

Complete and send in per the instructions on the form.

Or call the Department of Planning and Permitting (DPP) at 768-8106.



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**What is a private storm drain connection?**

**Private storm drain connection** means "any conveyance of storm water, including but not limited to any drainage pipe, ditch, or swale connected to any drainage facility or separate storm sewer system, including any curb or gutter."  
*[Revised Ordinances of Honolulu Section 14-12.2]*

**Residential**



**Commercial/Industrial**



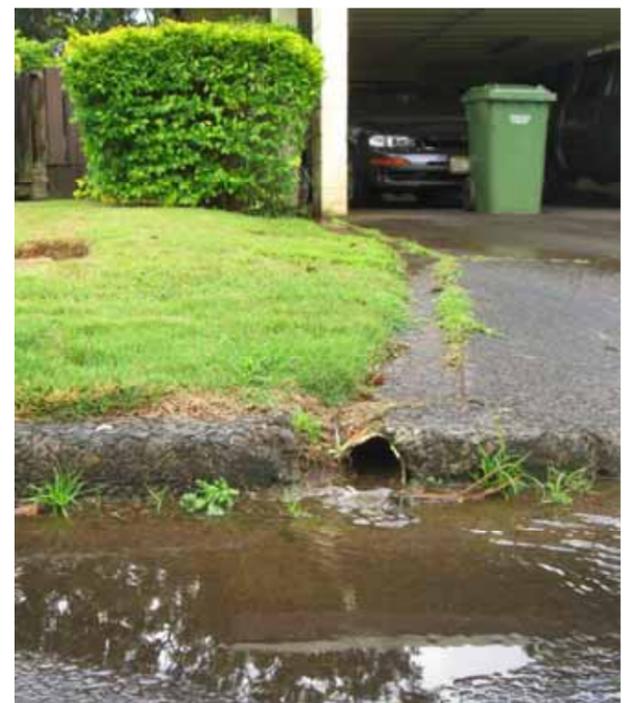
**Frequently Asked Questions**

- Q:** Why does the City require licenses for storm drain connections? What are they concerned about?
- A:** The requirement of licenses for private drain connections is part of the City's NPDES permit. The main reason for requiring licenses is to detect and eliminate any illegal discharges or pollutants from entering the drainage system through these drain connections.
- Q:** I inherited an old home where I think my indoor plumbing pipes and downspouts have been connected to the City's MS4. Do I need a private drain connection license or can my connections remain under a "Grandfather" rule?
- A:** There is no "grandfather" rule—you need to obtain a private drain connection license. All direct connections, including existing ones, designed for the conveyance of storm water from non-municipal and private drainage systems to the City's MS4 require this license. The license allows existing drain connections to remain in place. If you do not wish to obtain the license, you must disconnect your piped connection.
- Q:** Why is a private drainage system on my property? I didn't install it— why can't the water just flow over the ground instead of a swale?
- A:** Private drainage systems are usually installed during the initial design and construction of the group of homes that it serves. Such drainage systems are typically found along hillsides where it may not be possible or cost effective to direct runoff towards the street. A private drainage system captures and conveys water away from the group of properties it serves, and prevents runoff from overflowing into and possibly flooding your downhill neighbor.
- Q:** I just found out that the swale in my backyard is part of a private drainage system. Can I just fill it in instead of getting a license?
- A:** Filling or rerouting of a drainage system may cause flooding of your property or your neighbor's property. Changes to the drainage system should NOT be done without guidance from an engineer who can check for potential flooding concerns.
- Q:** What can I do with the storm water if I disconnect my roof downspout connection?
- A:** You can direct the runoff toward a landscaped area or planter box to use the runoff for irrigation or you could capture the runoff in a rain barrel for later use as irrigation.

**How can I get more information?**

Storm Water Quality Branch ..... 768-3242  
 Environmental Concern Line..... 768-3300  
 Online ..... [www.cleanwaterhonolulu.com](http://www.cleanwaterhonolulu.com)

**Do you have an illegal storm drain connection?**

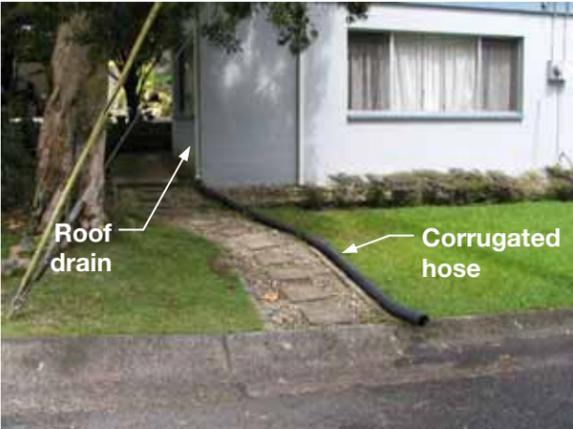


**City and County of Honolulu  
 Department of Environmental Services**



# Here are some examples of storm drain connections:

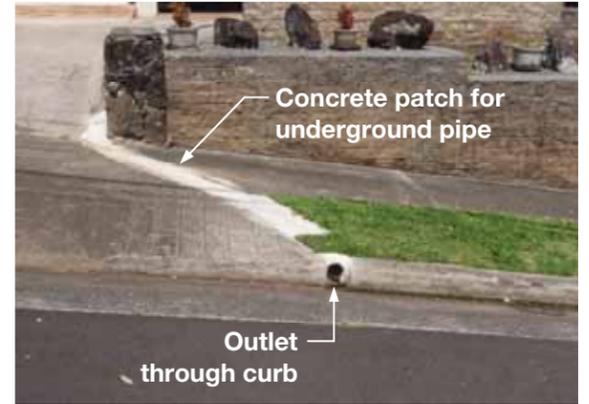
## Residential



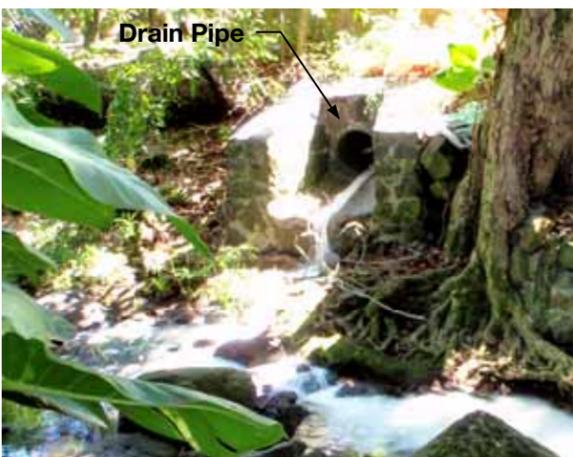
A corrugated hose connected to the roof drain discharges runoff directly into the gutter.



A corrugated hose discharges runoff directly into a stream.



An underground pipe conveys runoff to the gutter through the curb.



A drain pipe discharges pollutants into the stream.



A swale within private property is a private drainage system that typically provides drainage for multiple property owners. Filling, removing, or diverting a drainage system should NOT be done without engineering analysis. These actions change the drainage pattern, which may result in flooding.



Similar to a swale, a channel within private property is a private drainage system. Each property owner of a private drainage system that ultimately connects to the City's drainage system is required to have a drainage connection license.

## Commercial/Industrial



Underground pipes convey runoff to the gutter through the curb.



A drain pipe connects runoff from a parking lot directly into a City drainage channel.



A pipe from private property connects directly into a City storm drainage structure.



A drain inlet on a private road collects and conveys runoff into the City's storm drainage system.



A catch basin in a private parking lot collects and conveys runoff into the City's storm drainage system.



Runoff from private property is conveyed to the gutter through an opening in the sidewalk.